

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gary R. Ashton

Confirmation No.: 9774

Application No.: 10/673,003

Examiner: Tan N. Tran

Filing Date: 09/26/2003

Group Art Unit: 2826

Title: ULTRA-HIGH DENSITY STORAGE DEVICE USING PHASE CHANGE DIODE MEMORY CELLS AND METHODS OF FABRICATION THEREOF

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

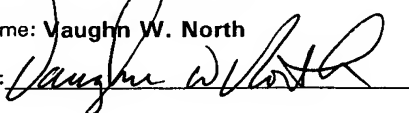
CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: March 16, 2005

Typed Name: Vaughn W. North

Signature: 

Respectfully submitted,

Gary R. Ashton

By 

Vaughn W. North

Attorney/Agent for Applicant(s)

Reg. No. 27,930

Date: March 16, 2005



1FW

PATENT APPLICATION
ATTORNEY DOCKET NO. 200206465-1

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 2826

EXAMINER: Tan N. Tran

APPLICANT: Gary R. Ashton

SERIAL NO.: 10/673,003

CONFRM. NO.: 9774

FILED: September 26, 2003

FOR: ULTRA-HIGH DENSITY STORAGE
DEVICE USING PHASE CHANGE DIODE
MEMORY CELLS AND METHODS OF
FABRICATION THEREOF

DOCKET NO. 200206465-1

RESPONSE TO
RESTRICTION
REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

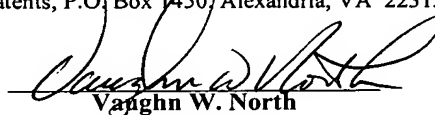
Dear Sir/Madam:

In response to the Office Action Summary, mailed February 16, 2005, Applicant offers the following Amendment and requests reconsideration of the above-captioned application.

CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8

DATE OF DEPOSIT: **March 16, 2005**

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Vaughn W. North

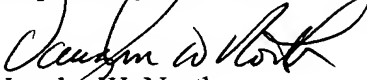
Election/Restriction Requirements:

In response to the restriction requirement of February 16, 2005, applicant provisionally elects group I consisting of claims 1-20. This election is made with traverse based on applicant's belief that a search directed to the apparatus claims would sufficiently overlap with a search based on the method claims to negate need for further searching. Accordingly, a single examination could expedite the prosecution of both sets of claims, saving cost to both the patent office and the client. Subject to reconsideration of the restriction requirement, applicant withdraws claims 21 to 31.

With respect to the election of species, applicant elects the embodiment of Figure 4. Applicant points out that the representations of Figs 6 and 7 are described as electron microscope images of spots made by exposing laser beams to the CIGS material identified in the claims. Accordingly, Figs 6 and 7 are not intended to be formal representations of the invention, but provide support for the viability of the inventive process. Applicant submits that all independent claims (1, 11 and 21) are generic as to the invention as represented in Figs 3 and 4, and requests reconsideration of the species requirement.

DATED this 16th day of March, 2004.

Respectfully submitted,


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